

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
PLAINVILLE GENERATING CO., LLC,)	
)	
Plaintiff,)	
)	
vs.)	C.A. No. 05-11210-GAO
)	
DTE BIOMASS ENERGY, INC.)	
AND)	
PLAINVILLE GAS PRODUCERS, INC.,)	
)	
Defendants.)	
_____)	

**PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION (1) ORDERING
DEFENDANTS TO TURN OVER HARDWARE, SOFTWARE, KEYS AND
DOCUMENTS NECESSARY TO OPERATE THE LANDFILL COLLECTION SYSTEM
AFTER THEIR SUDDEN ABANDONMENT AND (2) POSTING SECURITY FOR
JUDGMENT**

Pursuant to Fed. R. Civ. P. 64 and 65, plaintiff Plainville Generating Co., LLC ("Plaintiff") hereby moves for a preliminary injunction requiring that defendants Plainville Gas Producers, Inc. ("Plainville Gas") and DTE Biomass Energy, Inc, ("DTE") (collectively, "Defendants") do the following:

(i) Defendants meet with Plaintiff and immediately cooperate with Plaintiff to provide the materials, hardware, software, parts, information, data, diagrams, schematics, and keys, that Plaintiff requires for assuming the role of gas supplier at the Landfill Collection System, including but not limited to those items identified in the bullet list on pages 10-11 of Plaintiff's Memorandum of Law, and report back to the Court; *and*

(ii) Either defendant supply a letter of credit, bond, guarantee or other security for three million dollars, or otherwise provide adequate financial assurance or security to guarantee

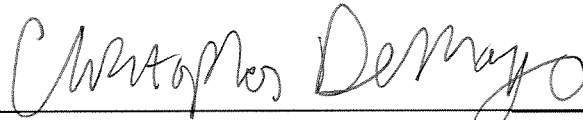
its payment of damages as awarded in this Court, as well as its performance of any equitable or injunctive order of this Court, such Order to remain in place until a final judgment of this Court is rendered.

WHEREFORE, Plaintiff respectfully requests that the Court grant this motion in all respects.

Dated: October 18, 2005

PLAINVILLE GENERATING CO., LLC

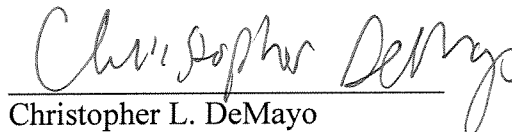
By its Attorneys,



Steven Ferrey, Consulting Counsel (BBO No. 163600)
Christopher L. DeMayo (BBO No. 653481)
LEBOEUF, LAMB, GREENE & MACRAE, L.L.P.
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Boston, MA 02110
(617) 748-6800

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I, Christopher DeMayo, counsel for Plaintiff, hereby certify that in accordance with Local Rule 7.1(A)(2) I conferred in good faith with counsel for Defendants in an attempt to narrow the issues presented in this motion. Despite this good faith attempt, we have been unable to narrow the issues presented in this motion.

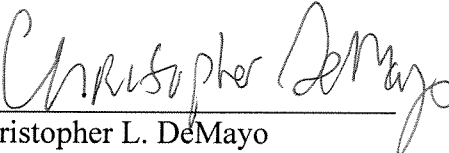

Christopher L. DeMayo

CERTIFICATE OF SERVICE

I, Christopher L. DeMayo, hereby certify that this 18th day of October, 2005, I caused a true copy of the foregoing Motion for Preliminary Injunction to be served on counsel of record for Plainville Gas Producers, Inc. and DTE Biomass Energy, Inc. at the following addresses:

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Christopher L. DeMayo

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